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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA)

'08 MJ 2713

v.)

RAMOS-Millan, Luis Enrique)

Magistrate's Case No.

COMPLAINT FOR VIOLATION OF

21 U.S.C. §§ 841 Possession of a

Controlled Substance with Intent to Distribute;

BY KMH DEPUTY

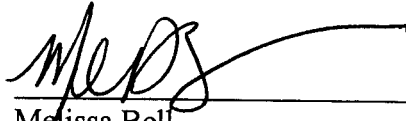
The undersigned complainant being duly sworn states:

That on or about September 2, 2008, within the Southern District of California, defendants:

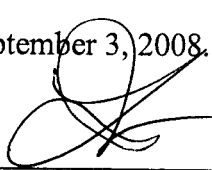
Luis Enrique RAMOS-Millan

did knowingly and intentionally possess, with intent to distribute, approximately 204.4 kilograms of marijuana, a Schedule I Controlled Substance; in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


Melissa Bell
Special Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence, September 3, 2008.


The Honorable LEO S PAPPAS
United States Magistrate Judge

NOT
9/2/08
KMH

PROBABLE CAUSE STATEMENT

I, Special Agent Melissa Bell, declare under penalty of perjury the following statement is true and correct:

On 09-02-2008, at approximately 4:20 PM, U.S. Border Patrol Agent Claudia Mayer performed an immigration stop on a 2002 Hyundai Santa Fe bearing California license plate 4XNR858 at the intersection of Ribbonwood Road and Opalaka Road in Boulevard, California. Agent Mayer, accompanied by USBP Agents Ben Morrow and John Haik approached the vehicle and identified themselves as Border Patrol Agents. They asked the driver (later identified as Luis Enrique RAMOS-Millan) his immigration status. RAMOS-Millan informed the Agents he was a Mexican citizen and that he did not have any immigration documents to enter the United States. During the questioning, Agent Morrow observed numerous brown and white square bundles stacked in the front and rear seats of the vehicle. Agent Morrow noticed a strong odor of marijuana emitting from the vehicle. RAMOS-Millan was placed under arrest and transported to the Boulevard Border Patrol Station for processing.

At the Border Patrol Station, Agent Haik performed a test of the green leafy substance contained in the 101 bundles removed from the vehicle driven by RAMOS-Millan, and the substance tested positive for marijuana.

At approximately 8:00 PM, Drug Enforcement Administration Special Agents Melissa Bell and Jeffrey Clark made contact with RAMOS-Millan at the Boulevard Border Patrol Station and identified themselves as Drug Enforcement Special Agents. SA Bell read RAMOS-Millan his Miranda rights in Spanish off of the DEA 13A card, as witnessed by SA Clark. RAMOS-Millan confirmed that he understood his rights, and that he wished to speak to the Agents.

RAMOS-Millan informed the Agents that he had been asked by his friend, Juan Jose CERILLO, if he was willing to drive a vehicle for CERILLO. RAMOS-Millan stated he was going to be paid \$1,000 USC to pick up the vehicle in the United States and drive it to a different unknown location within the United States. RAMOS-Millan stated that he crossed into the United States from Mexico accompanied by a guide. RAMOS-Millan described the guide as a Hispanic male, approximately 25 years of age, 5'8", with dark short hair and light skin and a big nose. RAMOS-Millan stated he did not know the name of the guide.

RAMOS-Millan also informed the Agents that he walked approximately ten minutes from the US-Mexico border with the guide and along the way he observed three "lookouts" who informed RAMOS-Millan and the guide that the area was "clean", meaning there was no law enforcement in the area. RAMOS-Millan said they came upon a beige gate with a lock. RAMOS-Millan said the guide had a key to the lock and opened the gate. RAMOS-Millan stated it was there that he picked up the vehicle in which he was eventually stopped by Border Patrol.

RAMOS-Millan told the Agents that the vehicle was already loaded with the bundles of marijuana (Exhibit 1) when he arrived. RAMOS-Millan said he knew the bundles contained marijuana or some other narcotic.

RAMOS-Millan informed the Agents that he did not know where he was supposed to take the marijuana. RAMOS-Millan said he was going to be contacted by the owners of the marijuana and instructed where to drive it.